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Paper No. 14

FORD GLOBAL TECHNOLOGIES, LLC.  
SUITE 600 - PARKLANE TOWERS  
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DEARBORN, MI 48126

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**OFFICE OF PETITIONS**

In re Application of :  
Michael Choi :  
Application No. 09/909,430 : DECISION ON PETITION  
Filed: July 19, 2001 :  
Attorney Docket Number: :  
FMC 1305 R :

This is a decision on the Petition under 37 CFR 1.183, filed September 18, 2002, requesting waiver of 37 CFR 1.78(a)(3).

This Petition is hereby dismissed as moot.

A petition under 37 CFR 1.78(a)(3) is only applicable to nonprovisional applications filed under 35 U.S.C. §111(a)<sup>1</sup>. The instant application is a reissue application under 35 U.S.C. §251; therefore, 37 CFR 1.78(a)(3) is inapplicable.

In view of the above, a refund of the petition fee has been credited to Petitioner's Deposit Account.

The application is being returned to Technology Center AU 3742 to await a response to the non-final Office action, mailed March 11, 2003.

Telephone inquiries concerning this matter should be directed to Petitions Attorney Derek L. Woods at (703) 305-0014.

Beverly M. Flanagan  
Supervisory Petitions Examiner  
Office of Petitions

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<sup>1</sup>See, *Changes to Patent Practice and Procedure; Final Rule Notice*, 66 Fed. Reg. 67,087, 67,088 (December 28, 2001)